SYNOPSIS



Senate Bills and Joint Resolutions 2015 Maryland General Assembly Session

> February 2, 2015 Schedule 14

PLEASE NOTE: February 6 – Bill introduction deadline.

All bills should be given to the Secretary of the Senate's office by 5:00 P.M. on Monday, February 9.

As required by Senate Rule 32(b), bills introduced after this date will be referred to the Senate Rules Committee.

SENATE BILLS INTRODUCED February 2, 2015

SB 185 Senator McFadden

HIGHER EDUCATION – HATTIE N. HARRISON MEMORIAL SCHOLARSHIP – ESTABLISHMENT

Altering the workforce shortage fields eligible for a Workforce Shortage Student Assistance grant to include school counselors under specified circumstances; and naming a specified grant to be the Hattie N. Harrison Memorial Scholarship.

EFFECTIVE OCTOBER 1, 2015

ED, § 18-708(e)(5) - amended

SB 186 Senator McFadden (By Request – Baltimore City Administration)

BALTIMORE CITY – RESIDENTIAL RETENTION PROPERTY TAX CREDIT – MODIFICATION

Providing an exemption from a prohibition against specified homeowners receiving specified property tax credits under specified circumstances; providing for a delayed effective date; and providing for the application and termination of the Act.

EFFECTIVE JUNE 1, 2016

TP, $\S 9-304(g)(6)$ - amended

Assigned to: Budget and Taxation

SB 187 Senator Pugh, et al

GOVERNOR'S WORKFORCE INVESTMENT BOARD – WORKGROUP TO STUDY ACCESS TO OBSTETRIC SERVICES

Requiring the Governor's Workforce Investment Board to coordinate with the Secretary of Health and Mental Hygiene, health occupations boards, and specified other parties to establish a workgroup to study access to obstetric services in the State by developing a specified mechanism to evaluate specified factors; and requiring a specified workgroup to report to specified committees of the General Assembly on or before December 1 of each year.

EFFECTIVE JUNE 1, 2015

LE, § 11-505.2 - added

Assigned to: Finance

SB 188 Senator Pugh, et al

TASK FORCE TO STUDY THE ESTABLISHMENT OF HEALTH COURTS

Establishing the Task Force to Study the Establishment of Health Courts; requiring the Task Force to study the adequacy and cost of State laws and policies relating to the litigation of medical malpractice cases and make recommendations regarding the establishment of health courts to hear medical malpractice cases and the feasibility of assigning a medical malpractice case to a single judge throughout the litigation process; requiring the Task Force to report to the Governor and General Assembly by December 31, 2015; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Judicial Proceedings

SB 189 Senator Hough, et al

STATE CORRECTIONAL FACILITIES – CORRECTIONAL OFFICERS – POLYGRAPH EXAMINATION

Requiring the Secretary of Public Safety and Correctional Services to require an individual to pass a polygraph examination before being appointed to serve as a correctional officer in a correctional facility; and requiring the Secretary to adopt regulations governing the administration of the polygraph examination required by the Act.

EFFECTIVE OCTOBER 1, 2015

CS, § 3-215(f) - amended

Assigned to: Finance

SB 190 Senator Madaleno, et al

SALES AND USE TAX – TAXABLE PRICE – ACCOMMODATIONS

Clarifying the definition of "taxable price" for the State sales and use tax as it applies to the sale or use of an accommodation facilitated by an accommodations intermediary; altering the definition of "vendor" under the State sales and use tax to include an accommodations intermediary; defining specified terms; and making a conforming change.

EFFECTIVE JULY 1, 2015

TG, $\S 11-101(a-1)$, (a-2), (a-3), (a-4), and (1)(5) - added and $\S 11-101(k)(1)$ and (0)(1) - amended

Assigned to: Budget and Taxation

SB 191 Senator Peters (Chair, Joint Committee on Pensions)

STATE RETIREMENT AND PENSION SYSTEM – CREDIT FOR UNUSED SICK LEAVE – CLARIFICATION

Clarifying that a member of the State Retirement and Pension System may not receive creditable service for unused sick leave at retirement unless the leave was available to the member to be used as sick leave during employment; and clarifying the definition of "unused sick leave" to specify that the leave must have been available to be used as sick leave during employment.

EFFECTIVE JULY 1, 2015

SP, § 20-206 - amended

SB 192 Senator Pinsky

VOTERS' RIGHTS PROTECTION ACT OF 2015

Authorizing the Attorney General to institute an action in a circuit court for injunctive relief to prohibit a person from engaging in or continuing to engage in specified violations of election law; providing that injunctive relief may be granted under the Act only to prevent specified violations of election law from affecting a pending election; etc.

EFFECTIVE JULY 1, 2015

EL, § 16-1003 - added

Assigned to: Education, Health, and Environmental Affairs

SB 193 Senator Bates, et al

ELECTION LAW – LOCAL PETITIONS – ADVANCE DETERMINATION OF SUFFICIENCY OF LOCAL LEGISLATION SUMMARY

Requiring a chief election official of an election authority who is determining the sufficiency of the format of a specified petition to determine the sufficiency of any summary of local legislation that is contained in the petition; requiring the chief election official to make a specified determination within 10 business days after receipt of the petition; and requiring, under specified circumstances, the chief election official to provide the sponsor of a petition with an explanation of the reasons for a specified determination.

EFFECTIVE JUNE 1, 2015

EL, § 6-202 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 194 Senator Eckardt, et al

INCOME TAX SUBTRACTION MODIFICATION – RETIREMENT INCOME (FAIRNESS IN TAXATION FOR RETIREES ACT)

Including income from specified retirement plans within a subtraction modification allowed under the Maryland income tax for retired individuals who are at least 65 years old or who are disabled or whose spouse is disabled; applying the Act to taxable years beginning after December 31, 2014; etc.

EFFECTIVE JULY 1, 2015

TG, § 10-209 - amended

SB 195 Senators Eckardt and Reilly

MENTAL HEALTH – VOLUNTARY AND INVOLUNTARY ADMISSIONS – ASSENT AND CERTIFICATION BY PSYCHIATRIC NURSE PRACTITIONERS

Altering the circumstances under which a specified unit of a State facility may admit a minor under a specified provision of law for the treatment of a mental disorder to allow for the assent to the admission to be made by a psychiatric nurse practitioner and a physician; altering the requirement that a certificate accompany an application for involuntary admission to a facility or Veterans' Administration hospital under specified provisions of law to allow for a psychiatric nurse practitioner to complete a certificate; etc.

EFFECTIVE OCTOBER 1, 2015

HG, §§ 10-610, 10-615, and 10-616 - amended

Assigned to: Finance

SB 196 Senator Edwards, et al

ECONOMIC DEVELOPMENT – RURAL ECONOMIC DEVELOPMENT PROGRAM AND ONE MARYLAND TAX CREDIT

Establishing the Rural Economic Development Program to encourage businesses to locate and expand in the rural counties of the State; providing that for 10 taxable years after a business is designated as a qualified business under the Program, the business is eligible for a specified property tax exemption, income tax subtraction modification, and sales and use tax exemption; establishing the Rural Economic Development Program Infrastructure Fund as a special, nonlapsing fund to be used to make grants to specified counties; etc. This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE OCTOBER 1, 2015

EC, §§ 5-1501 through 5-1503, TG, §§ 10-207(cc) and 11-232, and TP, § 7-245 - added and EC, § 6-401 and TG, § 10-307(g) - amended

SB 197 Senator Astle

MUNICIPALITIES – VACANT AND BLIGHTED BUILDINGS

Authorizing the governing body of a municipality, by ordinance, to establish a Vacant and Blighted Buildings Registry and to require an owner of a vacant building to register it within 30 days after the building becomes vacant under specified circumstances; requiring a municipality to consider specified factors in determining whether a building is a vacant building or a blighted vacant building; authorizing the governing body of a municipality to set special tax rates for vacant buildings and blighted vacant buildings; etc.

EFFECTIVE OCTOBER 1, 2015

LG, §§ 5-501 through 5-508 - added

Assigned to: Education, Health, and Environmental Affairs

SB 198 Senator Nathan–Pulliam, et al

HEALTH CARE DISPARITIES, CULTURAL AND LINGUISTIC COMPETENCY, AND HEALTH LITERACY – CONTINUING EDUCATION

Requiring specified applicants and health care professionals to provide specified boards evidence of completion of specified continuing education requirements; requiring specified boards, in consultation with the Office on Minority Health and Health Disparities and State experts, to adopt specified regulations; stating the intent of the General Assembly that the regulations require 5 to 10 percent of the total required continuing education credits be in health care disparities, health literacy, and other specified subject matter; etc.

EFFECTIVE OCTOBER 1, 2015

HO, §§ 1-801 through 1-804 - added

Assigned to: Education, Health, and Environmental Affairs

SB 199 Senator Conway

PUBLIC HEALTH - OPIOID MAINTENANCE PROGRAMS - LICENSING

Requiring that specified regulations adopted by the Secretary of Health and Mental Hygiene include a requirement that the process for approval of a license for an opioid maintenance program include an assessment of the number of existing slots in specified programs in a specified zip code and the number of individuals in need of specified services in a specified zip code, the severity of drug—related crime in a specified zip code, the population at risk of opioid addiction in a specified zip code, and the need for a program; etc.

EFFECTIVE OCTOBER 1, 2015

HG, § 8-404 - amended

Assigned to: Finance

SB 200 Senator Conway

ENVIRONMENT – PERSONAL CARE PRODUCTS CONTAINING SYNTHETIC PLASTIC MICROBEADS – PROHIBITION ON MANUFACTURING OR SALE

Prohibiting a person from manufacturing for sale or accepting for sale a personal care product or an over—the—counter drug that contains synthetic plastic microbeads on or after specified dates.

EFFECTIVE OCTOBER 1, 2015

EN, §§ 9-2001 and 9-2002 - added

Assigned to: Education, Health, and Environmental Affairs

SB 201 Senator Conway

STATE BOARD FOR THE CERTIFICATION OF RESIDENTIAL CHILD CARE PROGRAM PROFESSIONALS – REVISIONS

Altering the requirements for the designation and appointment of a program administrator of a residential child care program; requiring the State Board for the Certification of Residential Child Care Program Professionals to evaluate the moral character of an acting residential child care program administrator; requiring the governing body of a residential child care program to appoint a chief administrator of the program; etc.

EFFECTIVE OCTOBER 1, 2015

HO, §§ 20-101, 20-301 through 20-304, 20-306, 20-307, 20-310, 20-311, and 20-313 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 202 Senator Conway

STATE BOARD OF DENTAL EXAMINERS – MENTAL HEALTH AND PHYSICAL EXAMINATIONS

Authorizing the State Board of Dental Examiners, in reviewing a specified application or investigating an allegation, to direct a dentist, dental hygienist, or dental assistant to submit to a mental health or physical examination under specified circumstances; specifying that in return for a specified privilege given by the State, an individual is deemed to have consented to a specified examination and waived specified claims of privilege; requiring the Board to pay the reasonable costs of certain examinations; etc.

EFFECTIVE JULY 1, 2015

HO, § 4-205.1 - added

SB 203 Senator Conway

BUSINESS OCCUPATIONS AND PROFESSIONS – REAL ESTATE SALESPERSONS AND BROKERS – FORMATION OF BUSINESS ENTITIES AND PAYMENT OF COMMISSIONS

Authorizing specified licensed real estate salespersons and licensed associate real estate brokers, with the consent of a specified licensed real estate broker, to form a specified business entity; authorizing payment of compensation for the provision of real estate brokerage services to a specified business entity under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2015

BOP, §§ 17-512 and 17-604 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 204 Senator Conway

ELECTION LAW – PRIMARY ELECTION DATES IN THE PRESIDENTIAL ELECTION YEAR

Altering the date of the statewide primary election in the year in which the President of the United States is elected; and altering the date of the primary election for municipal offices in Baltimore City in the year in which the President of the United States is elected; making conforming changes; clarifying specified provisions of law concerning the filling of specified vacancies in nomination; repealing an obsolete provision of law concerning the printing of specified ballots; etc.

EFFECTIVE OCTOBER 1, 2015

EL, Various Sections - amended

SB 205 Senator Conway

DENTISTS AND DENTAL HYGIENISTS – MISREPRESENTATION AND PRACTICING WITHOUT A LICENSE – PENALTIES

Authorizing the State Board of Dental Examiners to issue a cease and desist order or obtain injunctive relief against a specified person under specified circumstances; establishing that, for a specified cease and desist order, proof is not required of actual damage or that any person will sustain any damage if a cease and desist order is not issued; establishing that an injunction or cease and desist order is in addition to and not instead of specified criminal prosecution or disciplinary action; altering specified penalties; etc.

EFFECTIVE JULY 1, 2015

HO, §§ 4-320, 4-601, 4-602, and 4-606 - amended and §§ 4-602.1, 4-602.2, and 4-607 - added

Assigned to: Education, Health, and Environmental Affairs

SB 206 Senator Ramirez

CREATION OF A STATE DEBT – PRINCE GEORGE'S COUNTY – LANDOVER HILLS TOWN HALL

Authorizing the creation of a State Debt in the amount of \$200,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Landover Hills for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Landover Hills Town Hall, located in Prince George's County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2015

SB 207 Senator Klausmeier

TELEPHONE COMPANIES – STREAMLINED REGULATORY REQUIREMENTS

Narrowing the types of services of a telephone company that are regulated by the Public Service Commission by altering a specified definition; providing that the Commission may allow a telephone company to provide a regulated service without requiring the telephone company to file a specified tariff schedule if the Commission finds that it is in the public interest; providing that specified transactions do not require specified prior authorization from the Commission; etc.

EFFECTIVE OCTOBER 1, 2015

PU, §§ 1-101(II), 4-202, 5-203, and 6-101 - amended and § 8-109 - added Assigned to: Finance

SB 208 Senator Young, et al

FAMILY LAW - REHOMING OF ADOPTED CHILDREN

Prohibiting a person from rehoming a child, committing specified acts related to rehoming a child, conspiring in the commission of specified acts related to rehoming a child, or acting as an accessory to the commission of specified acts related to rehoming a child; providing that the Act does not apply to the placement of a child by a licensed attorney, a child placement agency, or the State Department of Human Resources; and imposing a specified penalty not to exceed 5 years or a fine of \$10,000 or both if found guilty of violating the Act

EFFECTIVE OCTOBER 1, 2015

FL, §§ 5-3C-01 through 5-3C-03 - added

Assigned to: Judicial Proceedings

SB 209 Senator Young, et al

INCOME TAX – SUBTRACTION MODIFICATION – RETIREMENT INCOME

Increasing the maximum amount allowed as a subtraction modification under the State income tax for specified retirement income of an individual who is at least 70 years old or who is totally disabled; providing that the amount of the subtraction modification may not exceed specified amounts during specified taxable years; etc.

EFFECTIVE JULY 1, 2015

TG, § 10-209 - amended

SB 210 Senator Young, et al

EDUCATIONAL INSTITUTIONS – PERSONAL ELECTRONIC ACCOUNT – PRIVACY PROTECTION

Prohibiting an educational institution from requiring, requesting, suggesting, or causing a student, an applicant, or a prospective student to grant access to, allow observation of, or disclose information that allows access to or observation of the individual's personal electronic account; prohibiting an educational institution from compelling, as a condition of acceptance or participation in specified activities, an individual to add individuals to a list of contacts or to change privacy settings; etc.

EFFECTIVE JUNE 1, 2015

ED, § 26-401 - added

Assigned to: Education, Health, and Environmental Affairs

SB 211 Senator Young, et al

STATE PLUMBING CODE – ADOPTION OF INTERNATIONAL CODE COUNCIL STANDARDS

Authorizing the State Board of Plumbing to adopt standards of the International Code Council as part of the State Plumbing Code; requiring the Board to periodically review specified standards of the International Code Council; requiring the Board to amend the State Plumbing Code to incorporate specified standards for a water conserving appliance, device, fitting, or fixture under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2015

BOP, § 12-205 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 212 Senator Young, et al

DRIVING UNDER THE INFLUENCE – IGNITION INTERLOCK SYSTEM PROGRAM

Requiring a person who is convicted of driving while under the influence of alcohol to successfully complete the Ignition Interlock System Program.

EFFECTIVE OCTOBER 1, 2015

TR, § 16-404.1(d)(1) and (2) - amended

Assigned to: Judicial Proceedings

SB 213 Senator Young, et al

LEGAL DRINKING AGE – ACTIVE DUTY MEMBERS OF THE ARMED FORCES

Authorizing a specified holder of an alcoholic beverages license or a specified employee to sell or furnish beer or wine for consumption on the premises of a bar or restaurant to an active duty member of the armed forces of the United States who is at least 18 years old and who displays a valid armed forces identification card issued to the person by the United States Department of Defense.

EFFECTIVE JULY 1, 2015

Art. 2B, § 12-108(a) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 214 Chair, Anne Arundel County Senators

CIVIL ACTIONS – IMMUNITY FROM LIABILITY – EMERGENCY MEDICAL CARE FOR DRUG OVERDOSE

Providing immunity from civil liability for a specified person administering medications or treatment in response to an apparent drug overdose if the person is trained and certified under specified protocols established by the Secretary of Health and Mental Hygiene; extending immunity under the Act to a corporation when its fire department personnel are immune under the Act; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2015

CJ, § 5-603 - amended

Assigned to: Judicial Proceedings

SB 215 Senator Astle

PILOTS – RECREATIONAL VESSELS – EMPLOYMENT REQUIREMENT

Requiring that a recreational vessel that meets specified parameters employ a licensed pilot to pilot the vessel when it is underway on the navigable waters of the State; defining a specified term; and making the Act an emergency measure.

EMERGENCY BILL

BOP, § 11-501 - amended

SB 216 Senator Kelley

MARYLAND MEDICAL ASSISTANCE PROGRAM – GUARDIANSHIP COMMISSIONS AND FEES – INCOME DEDUCTION

Requiring the Department of Health and Mental Hygiene to deduct as a remedial service specified guardianship commissions and attorney's fees when determining the portion of income specified recipients of Maryland Medical Assistance Program benefits are required to contribute to the cost of care under the Program; etc.

EFFECTIVE OCTOBER 1, 2015

HG, § 15-122.3 - added

Assigned to: Finance

SB 217 Senator Kelley

SPECIAL OR SUPPLEMENTAL NEEDS TRUSTS – AUTHORIZATION TO FUND

Providing that specified provisions of law concerning regulations adopted by specified State agencies regarding special or supplemental needs trusts may not be interpreted to require a court order to authorize the funding of a special or supplemental needs trust.

EFFECTIVE OCTOBER 1, 2015

ET, § 14.5-1002 - amended

Assigned to: Judicial Proceedings

SB 218 Senator Kelley

MEDICAL ASSISTANCE PROGRAM – HOME– AND COMMUNITY–BASED SERVICES WAIVER – PRIORITY FOR SERVICES

Prohibiting the Department of Health and Mental Hygiene from placing specified individuals on a waiting list for specified services or giving priority to specified individuals to receive specified services based on the setting in which the individual is residing at the time of a specified determination; etc.

EFFECTIVE OCTOBER 1, 2015

HG, § 15-132 - amended

Assigned to: Finance

SB 219 Senators Kelley and Currie

MARYLAND MEDICAL ASSISTANCE PROGRAM – HOME– AND COMMUNITY–BASED SERVICES WAIVER – MODIFICATION

Altering specified financial eligibility criteria included in the home— and community—based services waiver; requiring, on or before October 1, 2015, the Department of Health and Mental Hygiene to apply to the Centers for Medicare and Medicaid Services for an amendment to a specified waiver to cease providing specified services to specified individuals and to allow specified individuals to qualify for specified services by establishing a specified qualified income trust; etc.

CONTINGENT – EFFECTIVE JULY 1, 2015

HG, § 15-132 - amended

Assigned to: Finance

SB 220 The President

GENERAL ASSEMBLY - MANDATED REPORTS BY STATE AGENCIES

Repealing provisions of law that require State agencies to submit reports to the General Assembly that are deemed obsolete, duplicative, impractical, inefficient, or otherwise unnecessary, as specified; altering provisions of law that require State agencies to submit reports to the General Assembly, as specified; combining reporting requirements for programs with other more extensive annual reports required to be submitted by State agencies, as specified; etc.

EFFECTIVE JUNE 1, 2015

Various Articles, Various Chapters, and Various Sections - amended, added, and repealed

Assigned to: Senate Rules

SB 221 Senator Miller

CREATION OF A STATE DEBT – CALVERT COUNTY – TOWN OF NORTH BEACH FLOOD MITIGATION PROJECT

Authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of North Beach for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Town of North Beach Flood Mitigation Project, located in Calvert County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2015

SB 222 The President (By Request – Department of Legislative Services)

ANNUAL CURATIVE BILL

Generally curing previous Acts of the General Assembly with possible title defects; and making the Act an emergency measure.

EMERGENCY BILL

Assigned to: Senate Rules

SB 223 The President (By Request – Department of Legislative Services)

ANNUAL CORRECTIVE BILL

Correcting specified errors or omissions in specified articles of the Annotated Code and in specified uncodified laws; clarifying language; correcting specified obsolete references; reorganizing specified sections of the Annotated Code; ratifying specified corrections made by the publishers of the Annotated Code; providing that the Act is not intended to affect any law other than to correct technical errors; making the Act an emergency measure; etc.

EMERGENCY BILL

Various Sections of Various Articles - amended, added, and repealed Assigned to: Senate Rules

SENATE BILLS REASSIGNED January 30, 2015

SB 140 Senator Hershey

KENT COUNTY – TOBACCO PRODUCTS OFFENSES – CITATIONS ISSUED BY ALCOHOLIC BEVERAGES INSPECTORS

Authorizing an alcoholic beverages inspector for Kent County to issue a citation if the inspector has probable cause to believe that specified offenses involving the distribution of tobacco products or paraphernalia or the possession of tobacco products are being committed or have been committed.

EFFECTIVE OCTOBER 1, 2015

CR, §§ 10-107 and 10-108 - amended

Reassigned to: Judicial Proceedings

SB 156 Senator Nathan–Pulliam, et al

DEPARTMENT OF HEALTH AND MENTAL HYGIENE – ESTABLISHMENT OF A SICKLE CELL DISEASE OUTREACH PROGRAM

Requiring the Department of Health and Mental Hygiene to establish, before June 1, 2016, a specified sickle cell disease outreach program; requiring that the program provide specified programs, support, and services.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JUNE 1, 2015

HG, § 18-507 - added